

**CITY OF BALTIMORE  
COUNCIL BILL 11-0649  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Housing and Community Development)  
Introduced and read first time: January 31, 2011  
Assigned to: Urban Affairs and Aging Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Urban Renewal – Reservoir Hill –**  
3 style="text-align:center">**Amendment \_**

4 FOR the purpose of amending the Urban Renewal Plan for Reservoir Hill to reauthorize the  
5 acquisition of properties within the Project Area, to correct and clarify certain language, and  
6 to extend the life of the Plan; waiving certain content and procedural requirements; making  
7 the provisions of this Ordinance severable; providing for the application of this Ordinance in  
8 conjunction with certain other ordinances; and providing for a special effective date.

9 BY authority of  
10 Article 13 - Housing and Urban Renewal  
11 Section 2-6  
12 Baltimore City Code  
13 (Edition 2000)

14 style="text-align:center">**Recitals**

15 The Urban Renewal Plan for Reservoir Hill was originally approved by the Mayor and City  
16 Council of Baltimore by Ordinance 72-33 and last amended by Ordinance 88-187.

17 An amendment to the Urban Renewal Plan for Reservoir Hill is necessary to reauthorize the  
18 Plan’s powers of acquisition and condemnation so that these actions may legally continue, in  
19 compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to  
20 correct and clarify certain language, and to extend the life of the Plan.

21 Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in  
22 any approved renewal plan unless the change is approved in the same manner as that required for  
23 the approval of a renewal plan.

24 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
25 following changes in the Urban Renewal Plan for Reservoir Hill are approved:

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

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1 (1) In the Plan, amend the first paragraph of C.1. to read as follows:

2 C. Techniques Used to Achieve Plan Objectives

3 1. Acquisition

4 A Property Acquisition Map, which designates those properties to be acquired  
5 BY PURCHASE OR BY CONDEMNATION, is attached as Exhibit No. 2.

6 (2) In the Plan, add new C.1.c. to read as follows:

7 C. Techniques Used to Achieve Plan Objectives

8 1. Acquisition

9 . . . .

10 C. THE AUTHORITY TO ACQUIRE THE PROPERTIES WITHIN THE PROJECT AREA  
11 IS EXPRESSLY CONFIRMED AND REAUTHORIZED THROUGH AND INCLUDING  
12 DECEMBER 31, 2014.

13 (3) In the Plan, amend D. to read as follows:

14 D. Duration of Provisions and Requirements

15 The Reservoir Hill Urban Renewal Plan, as [it may be] amended from time to  
16 time, [shall remain] IS in full force and effect for a period of [40] 50 years from  
17 the date of original adoption of this Renewal Plan by ordinance of the Mayor and  
18 City Council of Baltimore.

19 (4) In the Plan, amend the first paragraph of Appendix B to read as follows:

20 Appendix B

21 Scattered Properties for Acquisition and Disposition for Rehabilitation

22 In addition to those groups of properties to be acquired and disposed of for  
23 rehabilitation (designated with disposition lot numbers on Exhibit 3), the following  
24 scattered properties are also being acquired and disposed of for rehabilitation.  
25 CERTAIN PROPERTIES LISTED BELOW MAY BE USED, IN WHOLE OR IN PART, AS REAR OR  
26 SIDE YARD SPACE FOR ADJACENT PROPERTY. THE ACQUISITION PROPERTIES ADJACENT  
27 TO OR ABUTTING STREETS AND ALLEYS BEING CLOSED WILL ALSO INCLUDE ALL  
28 RIGHTS, TITLE AND INTEREST, OR ANY PRIVATE RIGHTS OF USE IN AND TO THE  
29 ADJACENT STREETS, RIGHTS-OF-WAY, OR ALLEYS AS SHOWN LYING WITHIN THE  
30 PERIMETER OF THE LAND DISPOSITION MAP.

31 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Reservoir  
32 Hill, as amended by this Ordinance and identified as “Urban Renewal Plan, Reservoir Hill,  
33 revised to include Amendment \_\_, dated January 31, 2011”, is approved. The Department of  
34 Planning shall file a copy of the amended Urban Renewal Plan with the Department of  
35 Legislative Reference as a permanent public record, available for public inspection and  
36 information.

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1       **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan  
2 approved by this Ordinance in any way fails to meet the statutory requirements for the content of  
3 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal  
4 plan, those requirements are waived and the amended Urban Renewal Plan approved by this  
5 Ordinance is exempted from them.

6       **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the  
7 application of this Ordinance to any person or circumstance is held invalid for any reason, the  
8 invalidity does not affect any other provision or any other application of this Ordinance, and for  
9 this purpose the provisions of this Ordinance are declared severable.

10       **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns  
11 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or  
12 safety law or regulation, the applicable provisions shall be construed to give effect to each.  
13 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the  
14 higher standard for the protection of the public health and safety prevails. If a provision of this  
15 Ordinance is found to be in conflict with an existing provision of any other law or regulation that  
16 establishes a lower standard for the protection of the public health and safety, the provision of  
17 this Ordinance prevails and the other conflicting provision is repealed to the extent of the  
18 conflict.

19       **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it  
20 is enacted.